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Commission Review

Log of Permanent Rule Filings

August 23, 2010 through September 20, 2010

ALCOHOLIC BEVERAGE CONTROL COMMISSION

The rules in Chapter 2 are from the Alcoholic Beverage Control Commission. The rules in Subchapter 2R are organizational rules, policies and procedures including general provisions (.0100); structure (.0200); publications, records and copies (.0300); rule-making (.0400); emergency rules (.0500); declaratory rulings (.0600); personnel policies: commission (.0700); adjudication: contested cases (.0800); fiscal rules for local boards (.0900); local abc board: personnel policies (.1000); local ABC Boards: relationship with state commission (.1100); opening and discontinuance of stores (.1200); storage and distribution of spirituous liquors: commercial transportation (.1300); purchase of alcoholic beverages by local boards (.1400); pricing of spirituous liquor (.1500); warehouse storage of spirituous liquors (.1600); retail sales of alcoholic beverages (.1700); purchase-transportation permits for individuals and mix beverages for permittees (.1800); and sales of liquor to mixed beverages permittees (.1900).

<u>Definitions</u>	04	NCAC 02R .0103
Amend		
<u>Distribution, Inspection and Copies of ABC Laws</u>	04	NCAC 02R .0303
Amend		
<u>Fee for Computer Services</u>	04	NCAC 02R .0304
Amend		
<u>Definition</u>	04	NCAC 02R .0601
Repeal		
<u>Request for Declaratory Ruling</u>	04	NCAC 02R .0603
Amend		
<u>Standards for Commission and Employees</u>	04	NCAC 02R .0701
Repeal		
<u>Daily Deposits</u>	04	NCAC 02R .0905
Amend		
<u>Annual Independent Financial Audit</u>	04	NCAC 02R .0907
Amend		
<u>Warehouse: Presence of Unauthorized Person Prohibited</u>	04	NCAC 02R .1005
Amend		
<u>Conflicts of Interest</u>	04	NCAC 02R .1008
Repeal		
<u>Audits to be Forwarded to Commission</u>	04	NCAC 02R .1103
Repeal		
<u>Approval of New Stores</u>	04	NCAC 02R .1203
Amend		
<u>Definitions</u>	04	NCAC 02R .1301
Repeal		
<u>Commemorative Bottles</u>	04	NCAC 02R .1405
Amend		
<u>Payment</u>	04	NCAC 02R .1407
Amend		
<u>Markup Formula</u>	04	NCAC 02R .1502
Amend		
<u>Removal of Beverages from ABC Stores</u>	04	NCAC 02R .1701
Amend		
<u>Purchase-Transportation Permits</u>	04	NCAC 02R .1708
Amend		
<u>Credit Card Sales</u>	04	NCAC 02R .1710

Repeal

Purchase-Transportation Permits: Wine: Liquor

04 NCAC 02R .1801

Amend

Mixed Beverage Permit/Invoice Form

04 NCAC 02R .1802

Amend

Cabinet Permittees; Purchase-Transportation Permits

04 NCAC 02R .1803

Amend

Designation of Store

04 NCAC 02R .1902

Repeal

HHS - HEALTH SERVICE REGULATION, DIVISION OF

The rules in Chapter 14 concern services provided by the Division of Health Service Regulation. The rules in Subchapter 14C are Certificate of Need regulations including general provisions (.0100); applications and review process (.0200); exemptions (.0300); appeal process (.0400); enforcement and sanctions (.0500); and criteria and standards for nursing facility or adult care home services (.1100), intensive care services (.1200), pediatric intensive care services (.1300), neonatal services (.1400), hospices, hospice inpatient facilities, and hospice residential care facilities (.1500), cardiac catheterization equipment and cardiac angioplasty equipment (.1600), open heart surgery services and heart-lung bypass machines (.1700), diagnostic centers (.1800), radiation therapy equipment (.1900), home health services (.2000), surgical services and operating rooms (.2100), end stage renal disease services (.2200), computed tomography equipment (.2300), immediate care facility/mentally retarded (ICF/MR) (.2400), substance abuse/chemical dependency treatment beds (.2500), psychiatric beds (.2600), magnetic resonance imaging scanner (.2700), rehabilitation services (.2800), bone marrow transplantation services (.2900), solid organ transplantation services (.3000), major medical equipment (.3100), lithotripter equipment (.3200), air ambulance (.3300), burn intensive care services (.3400), oncology treatment centers (.3500), gamma knife (.3600), positron emission tomography scanner (.3700), acute care beds (.3800), gastrointestinal endoscopy procedure rooms in licensed health service facilities (.3900), and hospice inpatient facilities and hospice residential care facilities (.4000).

Information Required of Applicant

10A NCAC 14C .1202

Amend

Information Required of Applicant

10A NCAC 14C .1402

Amend

Performance Standards

10A NCAC 14C .1403

Amend

Definitions

10A NCAC 14C .1701

Amend

Performance Standards

10A NCAC 14C .1703

Amend

Information Required of Applicant

10A NCAC 14C .1902

Amend

Information Required of Applicant

10A NCAC 14C .2102

Amend

Performance Standards

10A NCAC 14C .2103

Amend

Support Services

10A NCAC 14C .2104

Amend

Staffing and Staff Training

10A NCAC 14C .2105

Amend

Facility

10A NCAC 14C .2106

Amend

Information Required of Applicant

10A NCAC 14C .2202

Amend

Performance Standards

10A NCAC 14C .2203

Amend

Definitions

10A NCAC 14C .2701

Amend

STATE REGISTRAR

The rules in Subchapter 41H concern vital records including general provisions (.0100); local registrars, deputy registrars, subregistrars (.0200); birth registration (.0300); delayed registration of births (.0400); death registration (.0500); certified copies (.0600); fees and refunds (.0700); change of names (.0800); corrections and amendments (.0900); new certificates (.1000); legitimations (.1100); removal of graves (.1200); access to records (.1300); and divorce and annulment (.1400).

Routine Requests for Certified Copies

10A NCAC 41H .0701

Amend

Research Requests

10A NCAC 41H .0702

Amend

ALARM SYSTEMS LICENSING BOARD

The rules in Chapter 11 are from the N.C. Alarm Systems Licensing Board and cover the organization and general provisions (.0100); license applications and requirements (.0200); registration of employees of licensees (.0300); the recovery fund (.0400); and continuing education for licensees (.0500).

Determination of Experience

12 NCAC 11 .0106

Amend

LABOR, DEPARTMENT OF, AND APPRENTICESHIP COUNCIL (RETIRED)

The rules in Chapter 14 are from the Apprenticeship and Training Division. The rules in Subchapter 14A are being repealed.

Apprenticeship Council

13 NCAC 14A .0103

Repeal

Certification

13 NCAC 14A .0105

Repeal

Public Access to Records

13 NCAC 14A .0108

Repeal

The rules in Subchapter 14B include general provisions (.0100); apprenticeship programs (.0200); on-the-job training (ojt) programs (.0300); de-registration and withdrawal of approval (.0400); complaints (.0500); equal opportunity (.0600); and apprenticeship fees (.0700).

Name: Address

13 NCAC 14B .0101

Amend

Registration Agency

13 NCAC 14B .0102

Amend

Veterans Training Assistance Allowances

13 NCAC 14B .0103

Amend

Definition

13 NCAC 14B .0104

Amend

Criteria for Apprenticeable Occupations

13 NCAC 14B .0201

Amend

Standards for Apprenticeship

13 NCAC 14B .0202

Amend

Program Performance Standards

13 NCAC 14B .0203

Adopt

Registration Request Procedure

13 NCAC 14B .0204

Amend

Eligibility and Procedure for Registration of an Apprenti...

13 NCAC 14B .0205

Amend

Apprenticeship Agreement

13 NCAC 14B .0208

Amend

<u>Registration of Apprentice and Agreement</u> Amend	13	NCAC 14B .0209
<u>Revision of Apprenticeship Standards or Agreement</u> Amend	13	NCAC 14B .0211
<u>Termination and Extension of Agreements</u> Amend	13	NCAC 14B .0212
<u>Certification or Certificate of Completion</u> Amend	13	NCAC 14B .0213
<u>Standards for OJT Programs</u> Amend	13	NCAC 14B .0301
<u>Registration Request Procedure for OJT Programs</u> Amend	13	NCAC 14B .0302
<u>Eligibility and Procedure for Registration of OJT Programs</u> Amend	13	NCAC 14B .0303
<u>OJT Agreement</u> Amend	13	NCAC 14B .0305
<u>Registration of OJT Agreements</u> Amend	13	NCAC 14B .0306
<u>Revision of OJT Standards or Agreement</u> Amend	13	NCAC 14B .0308
<u>Termination and Extension of Agreements</u> Amend	13	NCAC 14B .0309
<u>Quality Assurance Assessments</u> Amend	13	NCAC 14B .0401
<u>De-Registration of Program</u> Amend	13	NCAC 14B .0402
<u>Voluntary De-Registration</u> Amend	13	NCAC 14B .0403
<u>De-Registration</u> Amend	13	NCAC 14B .0404
<u>De-Registration for Inactivity</u> Amend	13	NCAC 14B .0405
<u>Reinstatement of Registration</u> Amend	13	NCAC 14B .0406
<u>De-Registration of Agreement</u> Amend	13	NCAC 14B .0407
<u>Complaint Procedure</u> Amend	13	NCAC 14B .0503
<u>Analysis: Underutilization</u> Amend	13	NCAC 14B .0604
<u>Records</u> Amend	13	NCAC 14B .0610
<u>Compliance Reviews</u> Amend	13	NCAC 14B .0611
<u>Sanctions</u> Amend	13	NCAC 14B .0612
<u>Noncompliance with Federal and State Equal Opportunity Re...</u> Adopt	13	NCAC 14B .0616

ARCHITECTURE, BOARD OF

The rules in Chapter 2 are from the Board of Architecture and include general provisions (.0100); practice of architecture (.0200); examination procedures (.0300); rules, petitions, and hearings (.0400); declaratory rulings (.0500); administrative hearings: procedures (.0600); administrative hearings: decisions and related rights (.0700); judicial review (.0800); and continuing education (.0900).

<u>Fees</u>	21	NCAC 02	.0108
Amend			
<u>Definitions</u>	21	NCAC 02	.0109
Adopt			
<u>Architect and Firm Contact Information as on File with th...</u>	21	NCAC 02	.0201
Amend			
<u>Forms of Practice</u>	21	NCAC 02	.0204
Amend			
<u>Name of Firm</u>	21	NCAC 02	.0205
Amend			
<u>Requirement for and Use of Professional Seal</u>	21	NCAC 02	.0206
Amend			
<u>Dishonest Conduct</u>	21	NCAC 02	.0208
Amend			
<u>Unprofessional Conduct</u>	21	NCAC 02	.0209
Amend			
<u>Individual Licenses</u>	21	NCAC 02	.0213
Amend			
<u>Firm Practice of Architecture</u>	21	NCAC 02	.0214
Amend			
<u>Out of State Firms</u>	21	NCAC 02	.0215
Amend			
<u>Annual Listing of Partnership</u>	21	NCAC 02	.0216
Repeal			
<u>Registered Limited Liability Partnership</u>	21	NCAC 02	.0219
Repeal			
<u>Application for Registration by Exam</u>	21	NCAC 02	.0301
Amend			
<u>Examination</u>	21	NCAC 02	.0302
Amend			
<u>Licensure by Reciprocity</u>	21	NCAC 02	.0303
Amend			
<u>Continuances Failure to Appear</u>	21	NCAC 02	.0701
Amend			
<u>Subpoenas</u>	21	NCAC 02	.0703
Amend			

MESSAGE AND BODYWORK THERAPY, BOARD OF

The rules in Chapter 30 concern organization and general provisions (.0100); application for licensure (.0200); licensing (.0300); business practices (.0400); standards of professional conduct (.0500); massage and bodywork therapy schools (.0600); continuing education (.0700); rules (.0800); complaints, disciplinary action and hearings (.0900); and massage and bodywork therapy establishments (.1000).

<u>Student Enrollment Agreement</u>	21	NCAC 30	.0629
Amend			

MEDICAL BOARD

The rules in Subchapter 32S regulate physician assistants including physician assistant registration (.0200).

<u>Continuing Medical Education</u>	21	NCAC 32S	.0216
Amend			
<u>Limited Physician Assistant License for Disasters and Eme...</u>	21	NCAC 32S	.0219

Amend

Expedited Application for Physician Assistant Licensure

Adopt

21 NCAC 32S .0220